

(27)

10/25/02

by

In the United States District Court
For the Middle District of Pennsylvania

ORIGINAL

James H. Williams,
(Plaintiff)

Civil No. 1:CV-01-0280

vs

(Judge Kane)

Martin L. Dragovich, ET AL.,
(Defendants)

FILED
HARRISBURG, PA

OCT 24 2002

Motion for Reconsideration Pro Se.

MARY E. D'ANDREA, CLERK
Per [Signature]
Deputy Clerk

Pursuant to Rules 7.10 of the Federal Rules of Civil Procedure, Plaintiff James H. Williams, Pro Se, move the Court for Reconsideration of the Memorandum and order, dated October 9, 2002.

1. Granting Defendant's motion to dismiss (Doc. No. 13) with respect to Defendants Martin L. Dragovich and James J. McGrady, under two (2) yrs statute of limitations which is barred by Pennsylvania's statute. Safety & Health.
2. Defendant Richard L. Spade, in part, to dismiss Health issue under two (2) statute of limitations.
3. Defendant's motion to dismissed should have been ^{Granted,} ~~denied~~ under;
(A) Continuance theory of injury. from date of being returned to block and date injury occurred in question. statute of limitations does not commence ~~one~~ until injury has ended or threat ceased.

A ~~brief~~ concise brief in support of this motion will be submitted within ten (10) days pursuant to local Rule 7.5 of the United States District Court for the Middle District of Pennsylvania.

Wherefore, order or decree should be Reconsidered and Granted.

Respectfully Submitted.

James Williams Pro Se.

James H. Williams AY-8692

note: Case No. 1:01-cv-280

Document No. 25.

In the United States District Court
For the Middle District of Pennsylvania

James H. Williams
Plaintiff

vs

Martin L. Dragovich, ET AL,
Defendants

No. 1: cv-01-0280

(Judge Kane)

Certification of Service

I, James H. Williams, Pro se, Plaintiff, hereby certify that on October 18, 2002, I served a true and correct copy of the foregoing Motion for Reconsideration Pro se, by causing it to be deposited in the United States Mail, first-class postage prepaid to the following:

~~Office of the clerk
United States District Court
Middle District of Pa
235 North Washington Ave
P.O. Box 1148
Scranton, Pa. 18501-1148~~

Linda S. Lloyd (D.A.G.) #66720
Office of Attorney General
Litigation Section
15th Floor, Strawberry Square
Harrisburg, Pa. 17120

U.S. District Court
228 Walnut St.
P.O. Box 983
Harrisburg, Pa. 17108

James H. Williams Pro se
James H. Williams AY-8692
175 Progress Drive
Waynesburg Pa. 15370

Date October 18, 2002

In the United States District Court
For the Middle District of Pennsylvania

James H. Williams
Plaintiff

vs

Martin L. Dragovich, ET AL.
Defendants

No. # 1:CV-01-0280

(Judge Kane)

Order

And Now, this _____ day of _____, 2002, upon
consideration of Plaintiff motion for reconsideration of the Memorandum and order, dated October 9, 2002, granting defendant motion to dismiss in part.

It is hereby ordered that the motion is Granted.
The Defendants is hereby ordered to submit Reply brief
within ten (10) days of receiving Plaintiff's brief for reconsideration.

By the Court:

Yvette Kane
United States District Judge

In the United States District Court
For the Middle District of Pennsylvania

Mary E. D'Andrea
Clerk of Court
U.S. District Court
228 Walnut St
P.O. Box 983
Harrisburg, Pa. 17108

James Williams AY-8692
175 Progress Drive
Waynesburg, Pa. 15370

October 18, 2002

RE: Williams vs Dragovich ETAL Defendants.
1:01-CV-0280 (M.D. Pa)

Dear Mrs. D'Andrea

Enclose please find one original and one xerox of motion
for reconsideration of order entered October 9, 2002 by Judge Krane.
for filing.

Note: Plaintiff did not recd notice of order until October 18,
2002. Case no# 1:01-CV-280 Document no# 25. 1 copy was printed October 16,
2002. at 02:59 PM.

Yours truly
James Williams
Pro se